

EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

Silicomanganese from Brazil, the People's Republic of China and Ukraine, Inv. Nos. 731-TA-671-673
(Third Review)

On November 4, 2011, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. §1675(c)(5)).

The Commission received responses to its notice of institution from domestic interested parties Eramet Marietta, Inc. (“Eramet”) and Felman Production, Inc. (“Felman”), U.S. producers of silicomanganese that accounted for 100 percent of domestic production in 2010. The Commission found the individual responses of Eramet and Felman to be adequate. Because the individual responses were adequate and these producers accounted for a substantial percentage of the domestic production of silicomanganese, the Commission determined that the domestic interested party group response was adequate.

The Commission also received responses to its notice of institution from a Brazilian interested party, Vale Manganês, a producer of silicomanganese in Brazil, and a Ukrainian trade association that identified itself as a respondent interested party, the Ukrainian Association of Ferroalloys Producers, a majority of whose full members is made up of Ukrainian silicomanganese producers Nikopol Ferroalloy Plant, Stakhanov Ferroalloy Plant, and Zaporozhye Ferroalloy Plant. The Commission found the individual responses of the Brazilian producer and the Ukrainian trade association to be adequate. Because the individual responses were adequate and both the Brazilian producer and Ukrainian trade association accounted for a substantial percentage of silicomanganese production in their respective countries, the Commission determined that the respondent interested party group responses were adequate with respect to the orders on silicomanganese from Brazil and Ukraine.

Because the group and individual responses from the domestic interested parties and respondent interested parties were adequate in the review of the orders on silicomanganese from Brazil and Ukraine, the Commission determined to conduct a full review in both proceedings.

The Commission did not receive a response from any respondent interested parties concerning the order on silicomanganese from China and therefore determined that the respondent interested party group response from China was not adequate. The Commission nevertheless voted to conduct a full review concerning the order on silicomanganese from China to promote administrative efficiency in light of the Commission's determination to conduct full reviews of the other orders in these grouped reviews.

A record of the Commissioners' votes is available from the Office of the Secretary and on the Commission's website (<http://www.usitc.gov>).